IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CRIMINAL JURISDICTION

CRIMINAL WRIT PETITION NO. 622 OF 2007

Sachin Sudhir Karkhanis and ors. ..Petitioners.
Vs.
Kiran Anant Karnik and ors. ..Respondents.

Ms. Gauri Godse for the Petitioners.

Ms.S.V.Gajare, APP. for the State.

CORAM: B.H.MARLAPALLE, J.
DATE : August 23, 2007

P.C.

1. Heard Ms. Godse, the learned counsel for the petitioners who are accused in RCC No.493 of 2006. The said complaint is filed against the Respondent No.1 for offences punishable under Section-418,420, 427, 504 and 506(2) of the Indian Penal Code.

2. The petitioners are in-laws of the complainant. Money transaction between the parties is not disputed.

3. I have perused the averments made in the complaint and more particularly, in Paragraph Nos. 14 and 16 therein and I am satisfied that a triable case has been made out by the complainant. This is not a fit case to invoke the inherent powers under Section 482 of the Cr.P.C.

4. Ms. Godse relied upon a decision of this court in the case of **Anil Madhok Vs. Prem Maini, Syndicate Bank and another reported in (1999 (Supp) Bom. C.R.670)** and decision of the Supreme Court in the case of **Uma Shankar Gopalika Vs. State of Bihar and another reported in (2005) 10 S.C.C. 336** and prayed for quashing of complaint

5. As noted earlier, a prima facie case for trial has been made out by the complainant against the present petitioners and both the parties are closely related to each other.

6. Hence, application is rejected.

(B.H. MARLAPALLE, J.)